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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/933,862 | 08/20/2001 | Baoxin Li | KLR 7146.124 | 7425 |

55648 7590 04/18/2006

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EXAMINER

DIEP, NHON THANH

ART UNIT PAPER NUMBER

2621

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/933,862

Applicant(s)

LI ET AL.

Examiner

Nhon T. Diep

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26, 42-45, 65-70, 74 and 76-84 is/are pending in the application.
- 4a) Of the above claim(s) 8, 17 and 23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-7, 9-16, 18-22, 24-26, 65-70, 74 and 76-84 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species: species represented by claims 1; claims 65 and 68; claim 74; claims 76 and 78; and claims 80-81. The species are independent or distinct because for examples, there is no need to detect commercial while creating a summarization in claim 1 and there is no need to use audio information to create a summarization or there is no need to transcode video signal in accordance with the channel capacity of a transmission medium in any other groups except in a group consists of claims 80-84.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there is no generic claim and it is noted that the previous examiner incorrectly indicated that claims 1.5. 9. 65, 68, 74, 76, 78 and 80 are generic and they are not for the following reasons:

Claim 1 recites a method of processing a video including football comprising: (a) identifying a plurality of segments of said video based upon an event, wherein said event is characterized by a start time based upon when the ball is put into play and an end time based upon when the ball is considered out of play, where each of said segments includes a plurality of frames of said video; and (b) creating a summarization of said video by including said plurality of segments, where said summarization includes fewer frames than said video; whereas **claims 65 and 68**. which, recite a method of processing a video including football comprising:(a) identifying a plurality of segments of

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said video, where each of said segments includes a plurality of frames of said video; (b) identifying a plurality of segments that are temporally separated by a sufficiently short duration; (c) based upon said identifying as a result of (b) connecting said identified plurality of segments; and (d) creating a summarization of said video by including said plurality of segments, where said summarization includes fewer frames than said video or **claim 74**, which recites a method of processing a video including football comprising: (a) identifying a plurality of segments of said video wherein each of said segments includes a play of football; (b) detecting a commercial within said video; (c) creating a summarization of said video by including said plurality of segments, where said summarization includes fewer frames than said video, where said plurality of segments of said video sufficiently temporally close to said commercial are free from being included within said summarization or **claims 76 and 78**, which recites a method of processing a video including football comprising: (a) identifying a plurality of segments of said video wherein each of said segments includes a play of football; (b) creating a summarization of said video by including said plurality of segments, where said summarization includes fewer frames than said video; and (c) removing at least one of said segments from said summary based, at least in part upon audio information related to said at least one of said segments and **claims 80-81**, which recite a method of processing a video comprising: (a) providing a description of said video; (b) identifying a plurality of segments of said video based upon said description; (c) generating another video based upon said identified segments, wherein said another video has less frames than said video and wherein said video is transcoded in accordance with the channel

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capacity of a transmission medium. The examiner underlines all limitations from the above rewritten claims to highlight the differences and requests that the applicants further elect one of the above different species.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

ND
4/20/2006

NONDIEP
PRIMARY EXAMINER